

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 667 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

-----  
SOLANKI MAHENDRABHAI JENABHAI

Versus

STATE OF GUJARAT

-----  
Appearance:

MR BR PARIKH for Petitioner

PUBLIC PROSECUTOR for Respondent No. 1

-----  
CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 05/03/98

ORAL JUDGEMENT

1. Heard Mr.B.R.Parikh.Ld.advocate appearing for petitioner. Rule. Mr.L.R.Pujari, Ld.APP appearing for State waives service of rule.

2. Parnties have not pressed for reasoned order. Having heard the learned advocate for petitioner and

having regard to the facts and circumstances it is directed that in the event of arrest of the petitioner in connection with Cr.No.59/97 of Patan Taluka Police Station, petitioner be released on bail in respect to the offences alleged against on executing bond of Rs.5,000/with two sureties of like amount and on compliance of following conditions:

(i) That he shall remain present before the court of inquiry or trial court regularly as and when directed on dates fixed.

(ii) That he shall make himself available for interrogation by a police officer whenever and wherever required.

(iii) That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) That he shall, at the time of execution of bond, furnish his address to the investigating officer and the courts and if there is any change, the same shall be intimated to the concerned police station and the courts.

(v) That he shall not leave India without the permission of the court. If the investigating officer directs to deposit the passport, the said direction shall be complied with unless the competent court directs otherwise.

This order will hold good if the petitioner is arrested at any time within 90 days from today. The order for release on bail will remain operative only for a period of ten days from the date of his arrest. Thereafter, it will be open to the petitioner to make a fresh application for being enlarged on bail in usual course which when it comes before the competent court will be disposed of in accordance with law, having regard to all the attending circumstances and the material available at the relevant time uninfluenced by the fact that anticipatory bail was granted.

Rule is made absolute. DS permitted.